COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: May 3, 2011

OFFICE CORRESPONDENCE FILE NO. SH2278275

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: JOSEPH M. GOODEN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY HECTOR CONTRERAS #[redacted]
EAST LOS ANGELES STATION

On December 1, 2010, OSSB Gang Enforcement Deputies Lanska and Urrutia were driving west on Fisher Street when they observed three male Hispanics standing on the sidewalk in front [redacted] The males were tossing a black handgun between them. Deputies Lanska and Urrutia stopped and exited their patrol car in order to detain the males. Two of the men cooperated with the deputies, but Suspect Tapia ran south to the rear of the location.

Deputies Lanska and Urrutia detained the two males in the backseat of their patrol car. From the street, they observed the suspect to be running west through several backyards on Fisher Street. The deputies paralleled the suspect as he jumped fences into several backyards, while requesting assistance via their radio.

The suspect turned south from the backyard of [redacted] and emerged onto the north sidewalk of Hammel Street, where an Aero Bureau helicopter flew overhead and broadcast the suspect's actions. The suspect ran west on Hammel Street, stopped behind a mini-van parked along the north curb, and ducked down behind the van.

East Los Angeles Detectives Contreras, Hernandez, and Bravo arrived on Hammel Street and saw the suspect run into the backyard of [redacted] Detectives Hernandez and Bravo followed Detective Contreras south into the rear yard of [redacted] Hammel Street. As they approached the rear yard of the residence, they saw the suspect had jumped onto a four foot block wall. As he ran a few feet on top of the wall, toward the backyard of the property west of the location, Detective Contreras saw the suspect was clutching an object with his right hand in his waistband area. The suspect turned toward Detective Contreras and it appeared as if the suspect was drawing a weapon from his waistband. Fearing for his safety, Detective Contreras fired two rounds from his duty weapon.

The suspect jumped into the backyard immediately west of the location and continued running west. When he reached the backyard immediately west of the location, he continued running west. When he reached the backyard of [redacted] he was taken into custody by other assisting deputies. Suspect Tapia sustained a gunshot wound to the left cheek and one to the left hand. He was transported to Saint Francis Medical Center where he was listed in stable condition. No weapon was recovered.

On April 28, 2011 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MPP §§ 3-01/025.00, Use of Force; 3-01/025.30, Use of Firearms and Deadly Force; 3-01/025.10, Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MPP § 3-01/025.00, Use of Force, MPP § 3-01/025.30, Use of Firearms and Deadly Force, and MPP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Hector Contreras was reasonable and necessary and in compliance with Department policy.

MPP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by Deputy Contreras in this incident were within Department Policy.

Eric B. Smith, Commander

EBS:RSP/rsp



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JACQUELYN LACEY • Chief Deputy District Attorney
PATRICK R. DIXON • Assistant District Attorney

JANICE L. MAURIZI • Director

April 25, 2011

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File # 10-0949
L.A.S.D. File # 010-14973-0281-145

Dear Captain Smith,

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 2, 2010, non-fatal shooting of Saul Tapia by Los Angeles County Sheriff's Detective Hector Contreras. It is our conclusion that Deputy Contreras acted in lawful self-defense and defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department. The reports also include audio recorded interviews, radio transmissions and photographs. The District Attorney's Command Center was notified of the shooting on December 2, 2010 at approximately 5:30 p.m. The District Attorney Response Team, comprised of Deputy District Attorney Geoffrey Rendon and District Attorney Senior Investigator Norman Weisenstein, responded and was given a briefing and a walk-through of the scene.

Detective Contreras provided a voluntary statement to investigators and his statement was considered in this analysis.

FACTUAL ANALYSIS

On December 2, 2010, at approximately 3:00 p.m., Los Angeles County Sheriff's Deputies Jason Lanska and Jesus Urrutia were on patrol in the 4700 block of Fisher Street in East Los Angeles. Lanska and Urrutia saw three males, later identified as Saul Tapia, [redacted] and [redacted] standing together near the driveway of [redacted] As Lanska and Urrutia drove closer, they saw the three men passing a semiautomatic handgun between each other.

The deputies exited their patrol vehicle, Tapia grabbed the handgun and fled towards the rear yard of the residence. Lanska and Urrutia ordered [redacted] and [redacted] to the ground and pursued

Tapia. The deputies ordered Tapia to drop the gun and get to the ground. Tapia did not comply with their commands. Urrutia broadcast that he was in pursuit of a man with a gun and requested immediate assistance. Tapia headed westbound and scaled two fences, running through the backyards of the adjacent residences. Urrutia saw Tapia place the firearm in his waistband or pants pocket. The deputies climbed one fence and ran back to Fisher Street, believing that Tapia was heading that way. Urrutia yelled at Tapia to stop as Tapia continued to flee.

Lanska returned to [redacted] and [redacted] handcuffed them and placed them in the back of the patrol vehicle. Urrutia ran westbound to parallel or intercept Tapia, who continued to run westbound through backyards. Urrutia broadcast [redacted] position and requested assistance, including a helicopter.

At [redacted] Urrutia used a ladder to climb to the roof of the residence. Urrutia saw Tapia run southbound through the rear yard of [redacted] to the adjoining property on Hammel Street, which is one street south of Fisher. Urrutia yelled at Tapia to stop but Tapia continued to run. Urrutia also yelled at Tapia that he (Tapia) was surrounded and for him to give up, but Tapia did not respond.

Upon reaching Hammel Street, Tapia ran westbound along the north sidewalk. Tapia continuously held something at his waistband. Urrutia believed that Tapia was holding the handgun that the deputies had seen earlier. Tapia continued on Hammel and approached another male, who appeared to be a gang member. Urrutia believed that the unknown male might help Tapia escape or conceal the gun; Urrutia advised the responding units to detain this unknown male.[1]

From the rooftop of [redacted] Urrutia saw a Sheriff's vehicle traveling east on Hammel Street towards Tapia. Tapia ran southbound across Hammel, down the driveway of [redacted] Hammel. Deputies [redacted] and Nancy Prado exited their vehicle and followed Tapia towards the rear of the residence. A Sheriff's helicopter, occupied by Deputies John O'Hara and Clint Hughes, warned the deputies to be careful because Tapia was holding something on his side as he was fleeing. Tapia ran to the southwest corner of the property at [redacted] Hammel Street and jumped onto a four foot high wall, still holding something in his waistband. While on the wall, Tapia turned north towards Hammel as he pulled his right hand from his waistband, as if he was trying to remove something. [redacted] heard an unknown deputy yell, "Show me your hands! Stop! Show me your hands!" Tapia did not comply and continued his movement. [redacted] and Prado heard two gunshots, but could not determine if Tapia was struck.[2]

Tapia jumped off the wall and continued running westbound into the backyard of the adjacent property. Shortly thereafter, deputies broadcast that Tapia had been detained.

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[1] The male was never detained or identified.

[2] [redacted] and Prado did not see who fired the gunshots because their view was obstructed by [redacted]

Detective Hector Contreras was assigned to East Los Angeles Sheriff's Station's Detective Bureau on the day of the incident. As of that day, he had been employed by the Sheriff's Department for 17 years. While working at the station, Contreras heard a call for assistance via the Sheriff's radio. The call indicated that deputies were in pursuit of a man with a gun. Contreras, Detective Steve Hernandez and Detective Daniel Bravo responded to the call in an unmarked vehicle. Upon arriving on Hammel Street, Contreras saw Tapia running southbound across the street holding something in his waistband area. Additionally, Contreras heard the helicopter unit warn the ground units that Tapia was holding something in his waistband area and to be careful.

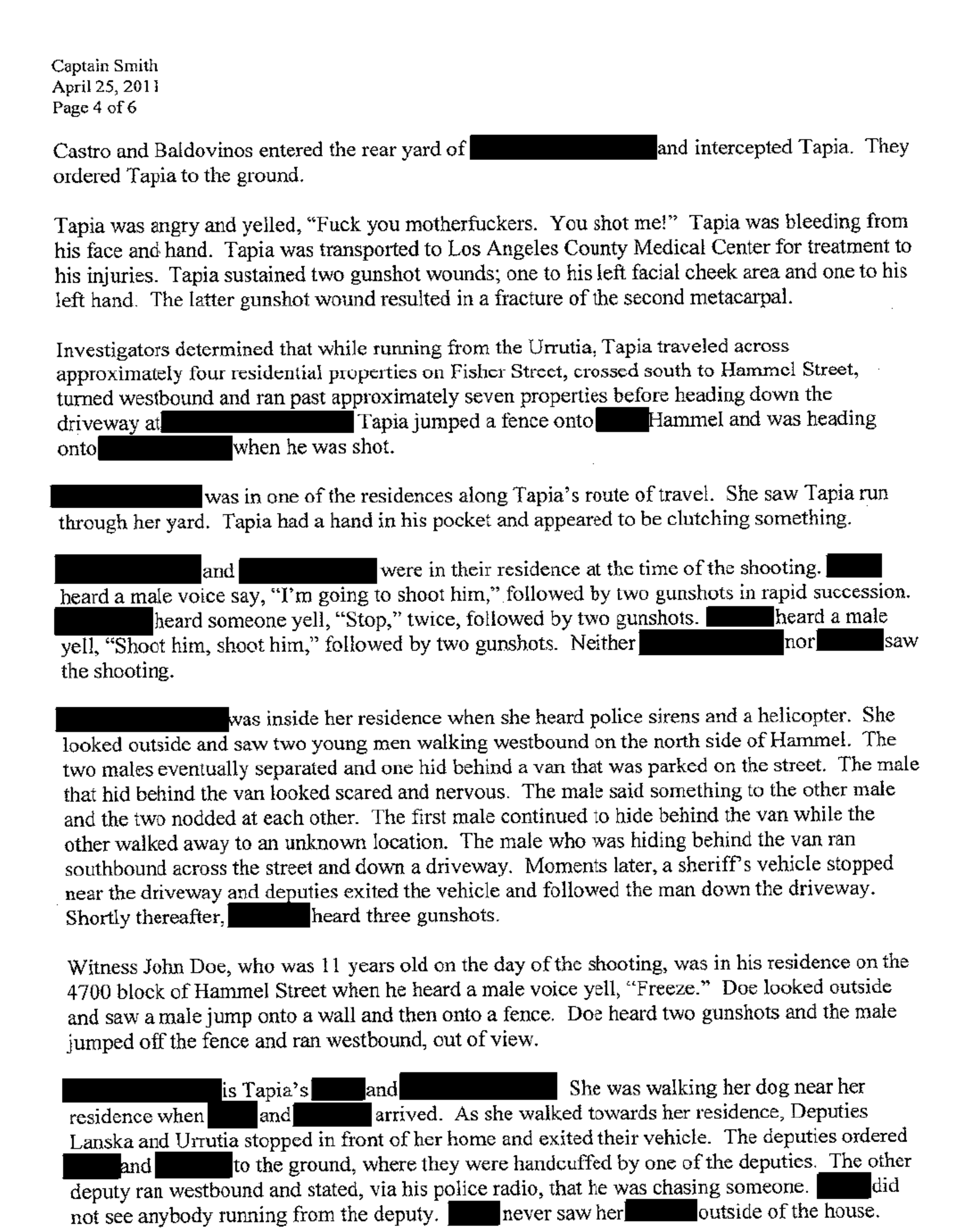
Contreras, Hernandez and Bravo exited their vehicle to follow Tapia. In an effort to cut Tapia off, Contreras and Hernandez ran down the driveway of the property west of where Tapia ran. As Contreras and Hernandez made their way down the driveway Tapia ran westbound, in front of them. Contreras was standing in the carport of the driveway and repeatedly ordered Tapia to stop and show his hands. Tapia did not comply with Contreras' orders and was grabbing his waistband with his right hand. Tapia turned away from Contreras and jumped onto a cinderblock wall. Tapia kept a hand on his waistband. While standing on the wall, Tapia turned towards Contreras and Hernandez with his hand on his waistband. It appeared to Contreras that Tapia was removing a handgun from his waistband. Fearing for his and Hernandez' lives, Contreras fired two rounds from his service weapon at Tapia. Tapia continued to run westbound onto the adjacent property and out of view.

At the time of the shooting, Contreras was wearing blue jeans, a black t-shirt and a green colored Sheriff's ballistic vest bearing Sheriff's patches.

As the detectives initially drove down Hammel Street, Hernandez and Bravo saw Tapia running across the street holding his waistband. It appeared that Tapia was holding something in that area and tried to prevent it from falling out. Hernandez followed Contreras down the driveway and heard Contreras yell, "Put your hands up." Tapia did not comply and jumped on top of the wall. Contreras yelled, "Stop! Stop! Keep your hands up!" Tapia turned towards the detectives while holding his hand near his waistband and Contreras fired two times. Hernandez believed that Tapia was holding a gun in his waistband.

Detective Bravo stayed near the end of the driveway at [redacted] Hammel Street while Contreras and Hernandez continued towards the rear yard. Tapia appeared near the rear property line and turned towards Contreras. Contreras yelled, "Stop." Contreras fired two rounds at Tapia. From Bravo's vantage point, he could not see if Tapia was standing on the wall at the time of the shooting. Tapia continued to flee and ran out of view.

Deputies Martin Castro and Luis Baldovinos were at East Los Angeles Station when they heard an assistance request which indicated that deputies were in pursuit of a man with a gun. Castro and Baldovinos responded to the location and heard the air unit broadcast that the suspect was running westbound through the backyards of the residences on the south side of Hammel Street.



Castro and Baldovinos entered the rear yard of [redacted] and intercepted Tapia. They ordered Tapia to the ground.

Tapia was angry and yelled, "Fuck you motherfuckers. You shot me!" Tapia was bleeding from his face and hand. Tapia was transported to Los Angeles County Medical Center for treatment to his injuries. Tapia sustained two gunshot wounds; one to his left facial cheek area and one to his left hand. The latter gunshot wound resulted in a fracture of the second metacarpal.

Investigators determined that while running from the Urrutia, Tapia traveled across approximately four residential properties on Fisher Street, crossed south to Hammel Street, turned westbound and ran past approximately seven properties before heading down the driveway at [redacted] Tapia jumped a fence onto [redacted] Hammel and was heading onto [redacted] when he was shot.

[redacted] was in one of the residences along Tapia's route of travel. She saw Tapia run through her yard. Tapia had a hand in his pocket and appeared to be clutching something.

[redacted] and [redacted] were in their residence at the time of the shooting. [redacted] heard a male voice say, "I'm going to shoot him," followed by two gunshots in rapid succession. [redacted] heard someone yell, "Stop," twice, followed by two gunshots. [redacted] heard a male yell, "Shoot him, shoot him," followed by two gunshots. Neither [redacted] nor [redacted] saw the shooting.

[redacted] was inside her residence when she heard police sirens and a helicopter. She looked outside and saw two young men walking westbound on the north side of Hammel. The two males eventually separated and one hid behind a van that was parked on the street. The male that hid behind the van looked scared and nervous. The male said something to the other male and the two nodded at each other. The first male continued to hide behind the van while the other walked away to an unknown location. The male who was hiding behind the van ran southbound across the street and down a driveway. Moments later, a sheriff's vehicle stopped near the driveway and deputies exited the vehicle and followed the man down the driveway. Shortly thereafter, [redacted] heard three gunshots.

Witness John Doe, who was 11 years old on the day of the shooting, was in his residence on the 4700 block of Hammel Street when he heard a male voice yell, "Freeze." Doe looked outside and saw a male jump onto a wall and then onto a fence. Doe heard two gunshots and the male jumped off the fence and ran westbound, out of view.

[redacted] is Tapia's [redacted] and [redacted] She was walking her dog near her residence when [redacted] and [redacted] arrived. As she walked towards her residence, Deputies Lanska and Urrutia stopped in front of her home and exited their vehicle. The deputies ordered [redacted] and [redacted] to the ground, where they were handcuffed by one of the deputies. The other deputy ran westbound and stated, via his police radio, that he was chasing someone. [redacted] did not see anybody running from the deputy. [redacted] never saw her [redacted] outside of the house.

[redacted] admitted that Tapia is a Lopez Maravilla gang member and had recently been acting odd because of heavy drug use. Tapia had been paranoid, suffering from mood swings and had been violent. Two months prior, Tapia assaulted her and she went to the hospital for treatment; she did not press charges.

[redacted] is Saul Tapia's [redacted] She told the investigators that Saul had a serious drug problem and was violent. Saul had battered her, which she previously reported to the police. [redacted] told the investigators that Saul had frequently been arrested, but quickly released and she asked if they could keep Saul in jail. [redacted] is fearful of Saul and wants him to get drug rehabilitation.

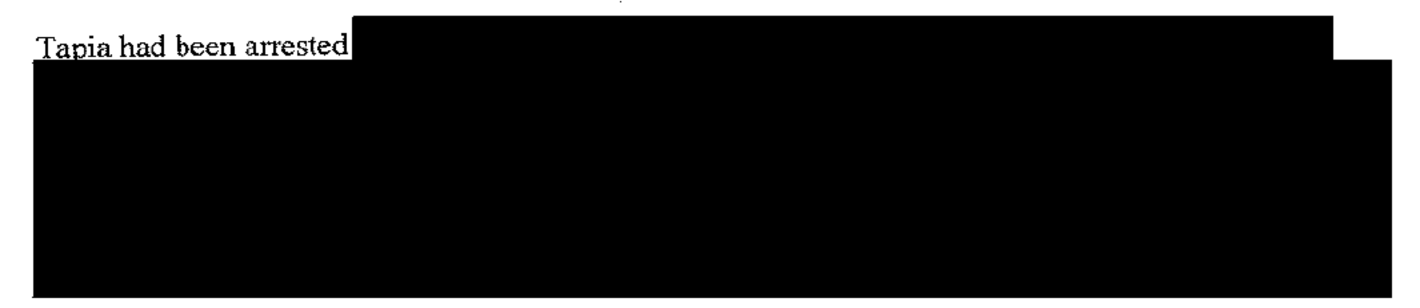
Forensic Evidence

No firearm was recovered. A K-9 unit searched Tapia's route of travel and did not locate a firearm.

Two expended 9mm cartridge casings were located in the rear yard of [redacted] Hammel Street. A glass pipe was located on the ground directly adjacent to where Tapia was at the time of the shooting. No fingerprints were obtained during an examination of the pipe.

Saul Tapia's Criminal History

Tapia had been arrested [redacted]



CONCLUSION

California law permits the use of deadly force in self-defense or in defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed he or others were in imminent danger of great bodily injury or death. "[T]he rule is well established that one who, without fault, is placed under circumstances sufficient to excite the fears of a reasonable man that another designs to commit a felony or some great bodily injury and to afford grounds for a reasonable belief of imminent danger, may act upon those fears alone and may slay his assailant and be justified by appearances." People v. Mercer (1962) 210 Cal. App. 2d 153, 161.

[3] As a result of this incident, Tapia was charged with one count of PC 148 (Obstructing or Resisting Arrest). Tapia pled no contest to the charge and was placed on summary probation.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent injury which appears to be imminent. California Jury Instructions-CALCRIM 505.

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v Collins, (1961) 189 Cal. App.2d 575.

The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation. Graham v. Conner, (1989) 490 U.S. 386, 396-397.

The evidence examined in this investigation shows that sheriff's deputies observed Saul Tapia in possession of a firearm. Tapia fled from the deputies and refused to comply with their orders. Tapia fled through a residential neighborhood in an attempt to avoid arrest. Detective Contreras responded to the location to assist his fellow deputies. As Tapia fled, deputies saw him holding something in his waistband which they believed was a firearm. Detective Contreras encountered Tapia and ordered him to surrender. Tapia refused to comply with Contreras demands. As Tapia fled, he reached towards his waistband and turned towards Contreras and Detective Hernandez. Contreras, in fear for his life and the life of his fellow deputy, responded with deadly force.

We conclude that Detective Contreras acted in lawful self-defense and lawful defense of others when he used deadly force against Saul Tapia. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

GEOFFREY RENDON
Deputy District Attorney
(213)974-3888

c: Detective Hector Contreras #[redacted]

TABLE OF CONTENTS
SH2278275

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
February 19, 2011	East Los Angeles Station	☐	☒

Incident Information

URN: 010-14973-0281-145	Date: December 1, 2010	Time: 1507 Hours

City or Station: East Los Angeles Station

Location: [redacted] Hammel Street

Nature of Incident: Suspect flees on foot from deputies, as he reaches rear yard at [redacted] Hammel Street, he turned toward deputy while reaching into his waistband with his right hand. Deputy Contreras fearing for his safety, fired two rounds striking suspect Tapia in left cheek, and left hand. Suspect transported to and treated at LCMC.

Location Type (*circle one or more*): **Backyard** (circled), Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): Darkness, **Daylight** (circled), Other, Street Lights

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, Armed Person, **Fleeing Suspect** (circled), Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): **Detective** (circled), Inmate Transport, Other, Routine Patrol

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: None

Aero Unit? ☒ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Urrutia	Jesus		EM **PM** Day	**Regular** Overtime Off Duty
[redacted]	Lanska	Jason	M.	EM **PM** Day	**Regular** Overtime Off Duty
[redacted]	[redacted]	[redacted]		EM **PM** Day	**Regular** Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
[redacted]		[redacted]		[redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]
[redacted]		[redacted]		
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]
Street Address:	City:	Zip Code:	Work Ph:	Home Ph:

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)	
[redacted]	Estrada	Angelica	P.	**On Duty** (circled), Present during shooting	Witness to shooting, Involved in shooting
				On Duty, Present during shooting	Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Dane	Sean	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Lopez	Daniel	V.

PSTD Use Only
SH # ______

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
12-01-2010	1645 hours	02-28-11	

Employee #	Last Name	First Name	M.I
[redacted]	Vaughan	Stephen	D.
[redacted]	Ramirez	Jack	H.
[redacted]	Rios	Jimmy	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	RS						
E#1	S#1	FH	BR	9	Y	Y	GS	FA

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 010-14973-0281-145

Involved Employee

E 1

Employee #: [redacted]	Last Name: Contreras	First Name: Hector	M.I.
Sex: M Race: Hispanic	Rank: Deputy Sheriff	Unit Assignment: East Los Angeles	Work Assignment (Unit #, Module, etc.): Detective Bureau
ShiftTime (*circle only one*): EM PM (Day circled)	ShiftType (*circle only one*): (Regular circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 8 Hours	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, (Plain Clothes w/ Vest circled), Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'9"	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Berreta Caliber: 9mm # Shots: 2		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber # Shots		Weapons Fired Brand: Caliber # Shots	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 010-14973-0281-145

Suspect Information

S 1

Last Name: Tapia	First Name: Saul	M.I.
AKA Last Name: Minor	First Name	M.I.

Sex: M Race: Hisp.	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 20 D.O.B. 03/19/90	Height: 5'10" Weight: 180	FBI #: [redacted]	CII #: [redacted]
Booking # 2564109	Primary Charge: 148 (a) (1) P.C.	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: N/A		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I.
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DEPUTY INVOLVED HIT SHOOTING
INVESTIGATIVE SUMMARY

UNIT: East Los Angeles Station
DATE: December 1, 2010
TIME: 1507 hours
LOCATION: [redacted] Hammel Street, East Los Angeles, CA 90022
URN#: 010-14973-0281-145
IAB#: SH2278275

OPENING STATEMENT:

On December 1, 2010, IAB investigators Sergeant Jimmy Rios, Sergeant Jack Ramirez and Lieutenant Stephen Vaughan responded to a Command Post established by East Los Angeles Station personnel in regard to a Deputy Involved Hit Shooting in the unincorporated area of East Los Angeles. IAB investigators, the District attorney's Office, and the Office of Independent Review were given a briefing by Homicide Lieutenant David Dolson.

SYNOPSIS:

On December 1, 2010, OSS Gang Enforcement Deputies Lanska and Urrutia were driving west on Fisher Street when they observed three male Hispanics standing on the sidewalk in front [redacted] The males were tossing a black handgun between them. Deputies Lanska and Urrutia stopped and exited their patrol car in order to detain the males. Two of the men cooperated with the deputies, but Suspect Tapia ran south to the rear of the location.

Deputies Lanska and Urrutia detained the two males in the backseat of their patrol car. From the street, they observed the suspect to be running west through several backyards on Fisher Street. The deputies paralleled the suspect as he jumped fences into several backyards, while requesting assistance via their radio.

The suspect turned south from the backyard of [redacted] and emerged onto the north sidewalk of Hammel Street, where an Aero Bureau helicopter flew overhead and broadcast the suspect's actions. The suspect ran west on Hammel Street, stopped behind a mini-van parked along the north curb, and ducked down behind the van.

East Los Angeles Detectives, Contreras, Hernandez, and Bravo arrived on Hammel Street and saw the suspect run into the backyard of [redacted] Detectives Hernandez and Bravo followed Detective Contreras south into the rear yard of [redacted] Hammel Street. As they approached the rear yard of the residence, they saw the suspect had jumped onto a four foot block wall. As he ran a few feet on top of the wall, toward the backyard of the property west of the location, Detective Contreras saw the suspect was clutching an object with his right hand in his waistband area. The suspect turned toward Detective Contreras and it appeared as if the suspect was drawing a weapon from his waistband. Fearing for his safety, Detective Contreras fired two rounds from his duty weapon.

The suspect jumped into the backyard immediately west of the location and continued running west. When he reached the backyard immediately west of the location; he continued running west. When he reached the backyard of [redacted] he was taken into custody by other assisting deputies. Suspect Tapia sustained a gunshot wound to the left cheek and one to the left hand. He was transported to Saint Francis Medical Center where he was listed in stable condition. No weapon was recovered.

The Deputy Involved Hit Shooting incident was investigated and documented by Homicide detectives. For more information, see the Homicide Investigation Book **[Exhibit A]**.

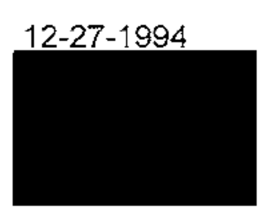
The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

CONTRERAS, Hector, Deputy Sheriff, #[redacted]
East Los Angeles Station,
Field Operations Region I

EMPLOYEE WORK HISTORY:

Date of Employment: 12-27-1994
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:


[redacted]

SUSPECT:

TAPIA, Saul, MH/20, DOB: 03-19-1990
[redacted]
Suspect's criminal history [redacted]

Refer to Exhibit A, Homicide Book, Pages 101 thru 128 for Suspect Tapia's Criminal History.

INVOLVED DEPUTY WITNESSES:

1. **Urrutia, Jesus,** Deputy Sheriff, #[redacted]
   Safe Streets Bureau
   Field Operations II

2. **Lanska, Jason**, Deputy Sheriff, #[redacted]
   Safe Streets Bureau
   Field operations II

3. [redacted] Deputy Sheriff, #[redacted]

4. **Prado, Nancy**, Deputy Sheriff, #[redacted]
   Safe Streets Bureau
   Field Operations II

5. **O'Hara, John**, Deputy Sheriff, #[redacted]
   Aero Bureau Observer

6. **Hughes, Clint**, Deputy Sheriff, #[redacted]
   Aero Bureau Pilot

7. **Hernandez, Steve**, Deputy Sheriff, #[redacted]
   East Los Angeles Station
   Field Operations I

8. **Bravo, Daniel**, Deputy Sheriff, #[redacted]
   East Los Angeles Station
   Field Operations I

NON-DEPARTMENT WITNESSES:

1. [redacted] MH/22 (Suspect arrested with Tapia))

2. [redacted] MH/30 (Suspect arrested with Tapia)

INJURIES:

Suspect:

Suspect Tapia sustained a gunshot wound to the left facial cheek area and a wound to his left hand, resulting in a complete fracture of the second metacarpal. He was transported to LCMC Jail Ward, where he was treated for his injuries.

Deputy Personnel:

No deputy personnel were injured.

WEATHER AND LIGHTING CONDITIONS:

This incident occurred during daylight hours. The weather was cool.

WEAPONS USED BY SUSPECT:

Unknown, no weapon recovered at scene.

WEAPONS USED BY DEPUTY PERSONNEL:

Hector Contreras, Deputy
Service Weapon- Beretta, model 92FS, 9mm, (Serial Number E[redacted]Z), Double Action, Semi-Automatic Pistol
Type of Ammunition - .9mm Luger ammunition
Ammunition - Two rounds fired and fourteen left in the magazine
Shell Casings - Two 9mm Auto caliber shell casings were located at the scene
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:

All weapons were examined, test fired, and found to be functional by Firearms Examiner Phil Teramoto #[redacted] **Lab Receipt Number K247047,** Los Angeles County Sheriff's Department - Scientific Services Bureau, Firearms Identification Section. **Refer to Exhibit A, Homicide Book, Page #194.**

INVOLVED DEPUTY'S STATEMENTS:

Deputy Hector Contreras, #[redacted] was interviewed by Homicide Investigators Troy Ewing and Joe Espino on 12-01-2010. Internal Affairs Bureau Sergeants Jack Ramirez and Jimmy Rios interviewed Deputy Contreras on 01-13-11. The following is a summary of the interviews. Read both transcripts for further information.

On 12-01-10 at approximately 1500 hours, Detective Contreras was at the East Los Angeles Sheriff's Station Detective Bureau when he heard a call for assistance being broadcast over the Sheriff's radio. Deputies were in foot pursuit of a man armed with a gun, in the area of Mednik Avenue and Fisher Street. Detective Contreras, along with Detectives Steve Hernandez and Arthur Bravo, exited the Detective Bureau and entered an unmarked Sheriff's detective vehicle, equipped with emergency red lights and siren. Detective Contreras was the driver of the vehicle.

Detective Contreras heard the radio broadcast that the suspect was wearing a grey sweatshirt and blue jeans and was last seen running west on Hammel Street. As Detective Contreras turned his vehicle east onto Hammel Street, he saw a person matching the description of the suspect running south, across Hammel Street, from the north sidewalk. As the suspect ran across the street, he saw the suspect holding his waistband area with his right hand. The suspect continued to run south into the front yard of a residence ([redacted]) and down the driveway.

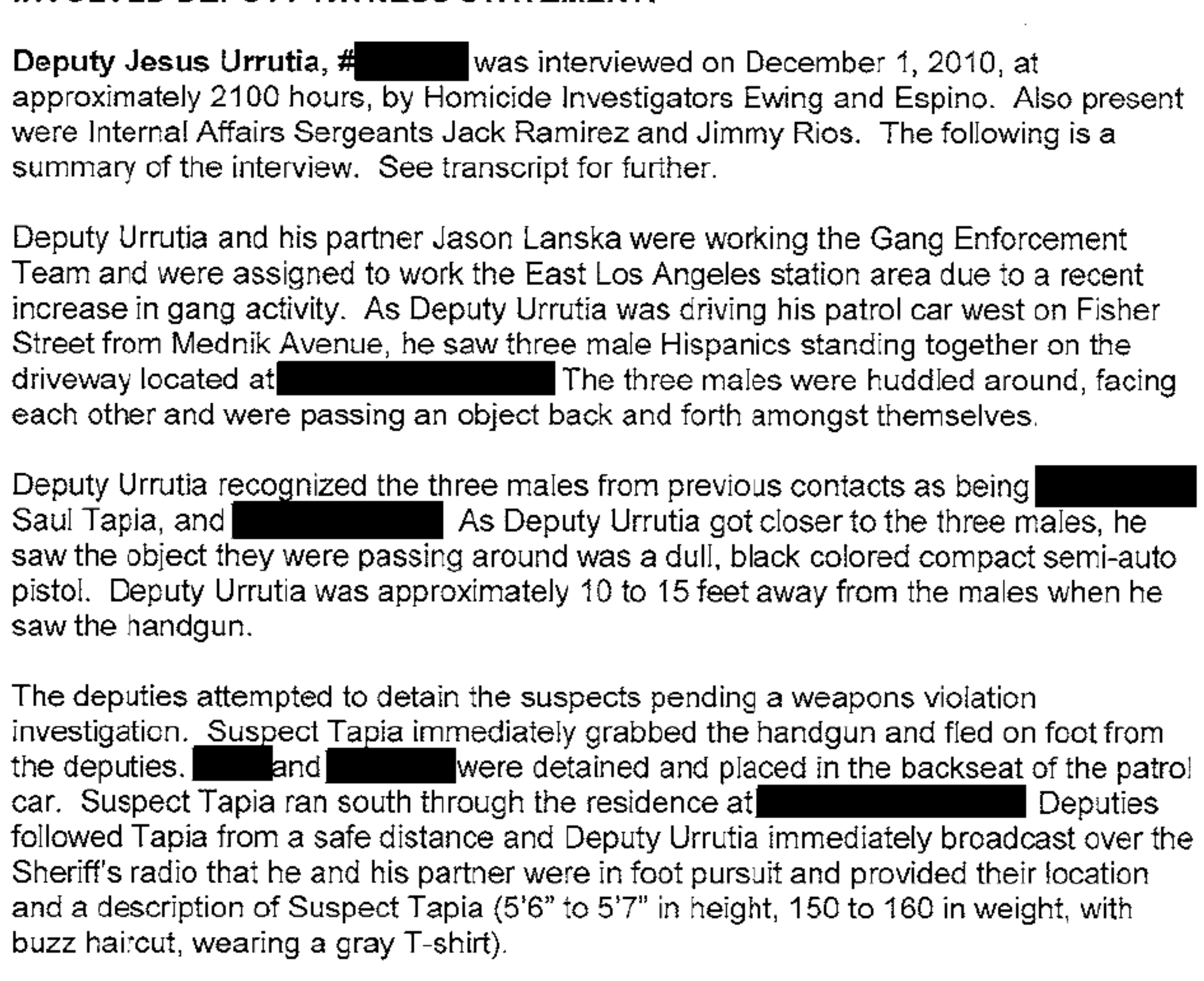
At this point, Detective Contreras heard the helicopter observer warn the ground personnel that the suspect was holding his waistband area and to be careful. He along with the other two detectives exited their car and began to follow the suspect down the driveway. They were behind Deputies Keen and Prado, who were already chasing the suspect down the driveway at [redacted]

In an effort to cut off the suspect should he run west, Detective Contreras and Hernandez stopped following the suspect and changed their direction. They went west from the driveway of [redacted] where the suspect had run. As Detective Contreras and Hernandez ran south down the driveway of [redacted] Hammel Street, they saw the suspect appear, running west in front of them along the rear fence line of the property.

At this point, Detective Contreras was now positioned in the carport area approximately twenty feet away from the suspect. He ordered the suspect several times to stop and show his hands, but the suspect did not comply. The suspect was holding and grabbing his waistband area with his right hand. The suspect turned away from Detective Contreras (south) and jumped onto a cinder block wall that was approximately four feet high. The suspect jumped onto this wall using his left hand for support, while continually holding his waistband with his right hand.

While standing on the block wall, the suspect began to turn to his right, back toward Detectives Contreras and Hernandez. Believing the suspect was removing a handgun from his waistband area with his right hand, and fearing for his and Detective Hernandez' life, Detective Contreras fired two rounds from his duty weapon. After he fired two rounds at the suspect, the suspect continued to run west, climbing over a chain link fence and into the property next door. He described his shooting backdrop as being the cinderblock wall. He knew Detective Hernandez was approximately five feet behind him during the shooting. After the shooting, he put out radio traffic indicating he had just been involved in a shooting. Refer to **Exhibit A**, Homicide Book, pages 36 thru 38 for Homicides supplementary report.

INVOLVED DEPUTY WITNESS STATEMENT:



Deputy Jesus Urrutia, #[redacted] was interviewed on December 1, 2010, at approximately 2100 hours, by Homicide Investigators Ewing and Espino. Also present were Internal Affairs Sergeants Jack Ramirez and Jimmy Rios. The following is a summary of the interview. See transcript for further.

Deputy Urrutia and his partner Jason Lanska were working the Gang Enforcement Team and were assigned to work the East Los Angeles station area due to a recent increase in gang activity. As Deputy Urrutia was driving his patrol car west on Fisher Street from Mednik Avenue, he saw three male Hispanics standing together on the driveway located at [redacted] The three males were huddled around, facing each other and were passing an object back and forth amongst themselves.

Deputy Urrutia recognized the three males from previous contacts as being [redacted] Saul Tapia, and [redacted] As Deputy Urrutia got closer to the three males, he saw the object they were passing around was a dull, black colored compact semi-auto pistol. Deputy Urrutia was approximately 10 to 15 feet away from the males when he saw the handgun.

The deputies attempted to detain the suspects pending a weapons violation investigation. Suspect Tapia immediately grabbed the handgun and fled on foot from the deputies. [redacted] and [redacted] were detained and placed in the backseat of the patrol car. Suspect Tapia ran south through the residence at [redacted] Deputies followed Tapia from a safe distance and Deputy Urrutia immediately broadcast over the Sheriff's radio that he and his partner were in foot pursuit and provided their location and a description of Suspect Tapia (5'6" to 5'7" in height, 150 to 160 in weight, with buzz haircut, wearing a gray T-shirt).

Deputy Urrutia saw Suspect Tapia jump the west fence line of the residence and run west into the adjacent yard. He (Urrutia) saw Tapia run in a northwest direction and he continued broadcasting this additional information to other area units. Suspect Tapia changed his direction and ran south through the residence at [redacted] Deputy Urrutia climbed onto the roof top of the residence located at [redacted] Avenue in an attempt to keep a visual on Suspect Tapia.

He saw Tapia running west on the north sidewalk of Hammel Street and out of sight. Aero Bureau arrived on scene and took control of the containment. Refer to **Exhibit A**, Homicide Book, pages 91- 92, and the Foot Pursuit Evaluation Form. Refer to **Exhibit A**, Homicide Book, pages 43 - 46 for Homicide's supplementary report. See pages 16 and 17 for Urrutia's and Lanska's supplementary report.

Deputy Jason Lanska, #[redacted] was interviewed by Homicide Investigators and Internal Affairs Bureau on December 1, 2010. The following is a summary of the interview. See transcript for further information.

Deputy Lanska and Deputy Urrutia were working GET unit OSSG44 and driving west the 4700 block of Fisher Street, when they saw three male Hispanics (later identified as Tapia, [redacted] and [redacted]) standing in the driveway of [redacted] He saw Suspect Tapia holding what he described as a blue-steel semi-automatic handgun in his hand (Lanska was sitting in the passenger seat approximately 10 to 15 feet away). Suspect Tapia appeared to be showing the handgun to [redacted] and [redacted]

The deputies attempted to stop and detain the suspects pending a weapons violation investigation. Suspect Tapia immediately grabbed the handgun and fled on foot from the deputies. Tapia ran south through the residence at [redacted] They followed Tapia and Deputy Urrutia who was in front of him, immediately broadcast over the Sheriff's radio that they were in foot pursuit of a man with a gun. [redacted] and [redacted] were detained and placed in the backseat of the patrol car. Aero Bureau arrived approximately a minute later. Refer to **Exhibit A**, Homicide Book, pages 46 and 47 for Homicide's supplementary report. See pages 16 and 17 for a copy of Lanska's and Urrutia's supplemental report.

Deputy [redacted] **#**[redacted] was interviewed on 12-01-2010, at approximately 2152 hours by Homicide Bureau. The following is a summary of the interview.

He and his partner Deputy Prado responded to the area of Dangler Avenue and Hammel Street, regarding OSSG44 (Deputy Urrutia's) assistance request. Urrutia advised via his handheld radio that a male Hispanic (later identified as Saul Tapia) wearing a gray shirt and blue jeans had just ran from him. He advised the male Hispanic had a handgun.

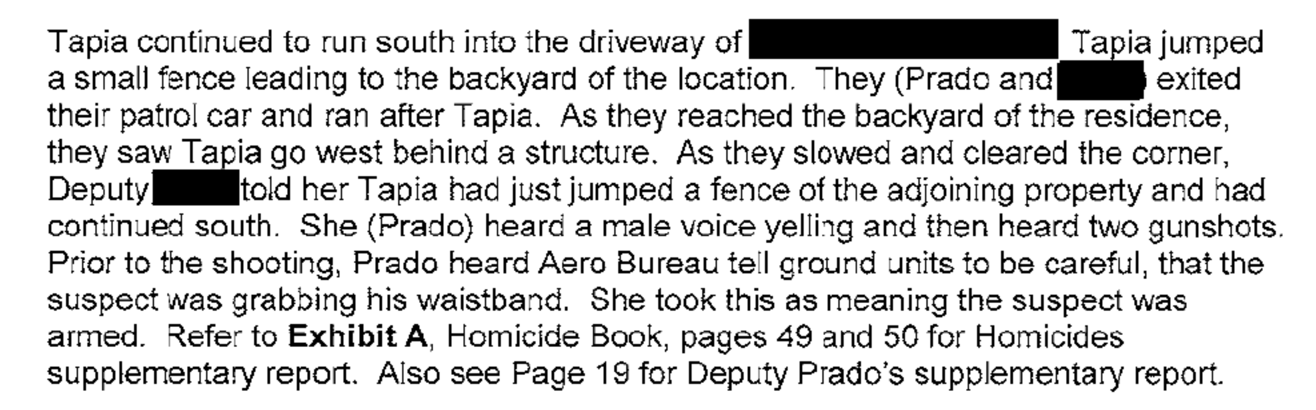
As they took up a position at Dangler Avenue and Hammel Street, they saw Tapia running west toward them on the north sidewalk of Hammel Street. As Tapia saw them [redacted] and Prado), he immediately crouched down behind a blue mini-van parked on the north curb in front of [redacted] As they drove toward Suspect Tapia, they saw him rise up and look through the rear window of the mini-van. Tapia saw that they were driving toward him at which time he stepped out from behind the van holding his waistband with his right hand. He [redacted] noticed a bulge in Tapia's waistband.

Suspect Tapia ran south in front of their patrol car and down the driveway of [redacted] Tapia jumped over a small fence that separated the front residence from the rear residence, the entire time holding the bulge in his waistband. They both exited the patrol car and chased after Suspect Tapia. They proceeded down the driveway at [redacted] He [redacted] saw Tapia jump a small chain link fence that separated the property west of [redacted] Tapia ran south on the east side of the property at [redacted] Hammel Street.

Suspect Tapia jumped on top of a small cinder block wall at the rear of the location. Tapia turned his body to the north and he [redacted] heard a Deputy yell for the suspect to show his hands. He saw Tapia pulling his hand from the bulge in his waistband. He heard two gunshots, then saw Suspect Tapia continue west jumping over a small chain link fence. He put out radio traffic advising that there had been a deputy involved shooting. Refer to **Exhibit A**, Homicide Book, pages 47- 49 for Homicide's supplementary report. Refer to page 18 for Deputy [redacted] supplementary report.

Deputy Nancy Prado, #[redacted] was interviewed by Homicide Investigators on 12-01-2010, at approximately 2206 hours. The following is a summary.

Deputy Prado and her partner, Deputy [redacted] responded to an assistance request regarding a male Hispanic armed with a gun in the 4700 block of Fisher Street. Deputy Urrutia advised via radio that Suspect Tapia was running west through the yards, then south toward Hammel Street. They took a position of containment at Hammel Street and Dangler Avenue. She saw the suspect running west on the north sidewalk of Hammel Street, toward their patrol car. When Tapia saw their patrol car, he crouched down behind a blue Dodge van. As they closed the distance, Tapia jumped out into the street, running in front of their patrol car. Deputy Prado saw Tapia was holding a large bulge in his waistband area with his right hand the entire time.


Tapia continued to run south into the driveway of [redacted] Tapia jumped a small fence leading to the backyard of the location. They (Prado and [redacted]) exited their patrol car and ran after Tapia. As they reached the backyard of the residence, they saw Tapia go west behind a structure. As they slowed and cleared the corner, Deputy [redacted] told her Tapia had just jumped a fence of the adjoining property and had continued south. She (Prado) heard a male voice yelling and then heard two gunshots. Prior to the shooting, Prado heard Aero Bureau tell ground units to be careful, that the suspect was grabbing his waistband. She took this as meaning the suspect was armed. Refer to **Exhibit A**, Homicide Book, pages 49 and 50 for Homicides supplementary report. Also see Page 19 for Deputy Prado's supplementary report.

Deputy John O'Hara, #[redacted] was interviewed by Homicide Investigators on 12-03-2010, at 1137 hours. O'Hara was assigned as the observer in Air Unit 21 during this incident. This is a summary of the interview. See transcript for further information.

He said he and his partner (Deputy Hughes) heard emergent radio traffic advising deputies were in a foot pursuit of a man with a gun. They responded to the area of the 4700 block of Hammel Street. He saw a male Hispanic matching the description of the suspect, running west on the north sidewalk of Hammel Street. The suspect stopped behind a van that was parked along the north curb line of Hammel Street, and appeared to attempt to hide from deputies on the ground.

Deputies in black and white vehicles and undercover detective cars arrived in the area of Dangler Avenue and Hammel Street. He saw the Suspect turn and run south into the front yard of the fourth house east of Dangler Avenue. As the suspect ran south, he could see the suspect clutching or holding his left waistband area. As the suspect reached the rear portion of the yard, he turned west and jumped a fence that divided the property line of two houses.

The suspect jumped over several fences, running north, then he would suddenly turn south, as though he was attempting to find a way to escape. He did not know that the suspect had been shot until he heard deputies request fire to respond. Refer to **Exhibit A**, Homicide Book, pages 58 and 59 for Homicides supplementary report.

> **IAB Note:** The shooting occurred underneath a carport, which was not visible to Deputies O'Hara and Hughes.

Deputy Clint Hughes, #[redacted] was interviewed by Homicide Investigators on 12-02-2010, at approximately 1150 hours. Deputy Hughes was assigned to Air Unit 21 as the pilot on the date of the incident. The following is a summary of the interview. See transcript for further information.

He said he and his partner (Deputy O'Hara) responded to a foot pursuit involving a man with a gun. They arrived overhead in less than one minute. He saw the suspect running west on Hammel Street along the north sidewalk. The suspect stopped behind a van and looked up toward the helicopter. Seconds later, the suspect turned and ran south across Hammel Street into the front yard of a residence. He saw the suspect holding his left side of his waistband as he ran down the driveway of the location. The suspect began to jump fences in a west direction. He did not know the suspect had been shot or wounded. At one point, he saw the suspect fall off the fence that he was climbing. Refer to **Exhibit A**, Homicide Book, pages 59 and 60 for Homicides supplementary report.

Deputy Steve Hernandez, #[redacted] was interviewed on 12-01-2010, by Homicide Investigators and Internal Affairs Sergeants Jack Ramirez and Jimmy Rios. The following is a summary of the interview. See transcript for further information.

He responded to deputies in foot pursuit of a man with a gun assistance request in the area of Fisher Street and Mednik Avenue. He responded from the East Los Angles station along with Detectives Hector Contreras and Arthur Bravo. The suspect was described as a male Hispanic in his early 20's, wearing a gray t-shirt. As they arrived on Hammel Street and Dangler Avenue, a Sheriff's helicopter began directing units to set up a containment and provided updates on the suspect's position, as he continued to run.

As they drove east on Hammel Street, they saw the suspect run south across Hammel Street. The suspect appeared to be holding something in his center waistband area with his right hand. The suspect ran into the rear yard of [redacted] followed by two deputies. They (Contreras, Hernandez, and Bravo) ran south down the driveway of [redacted] Hammel Street (one house west), when they heard the deputies yell out that the suspect was running west into the next property (toward [redacted] Hammel Street). Detective Contreras was ahead of Detective Hernandez as they ran south down the driveway of [redacted] Hammel Street. He was unable to give Detective Bravo's location as they were running.

As Detective Hernandez ran down the driveway of [redacted] Hammel Street, with his weapon drawn, he saw Suspect Tapia run west in front of them in the backyard. The suspect continued to have his right hand positioned near his waistband area, as if holding something. He heard Detective Contreras yell, "Put your hands up," in English at the suspect. The suspect ran south to the low brick wall located at the south end of the property. The suspect placed his left hand on the wall and, with his right hand still near his waistband area, jumped on top of the wall.

The suspect, standing on top of the wall, paused for a few seconds and looked in various directions, as if he was trying to decide which way to run or jump. He then looked back at both Detectives. Detective Contreras began yelling, "Stop, stop, keep your hands up." The suspect turned toward both detectives, then he (Hernandez) heard two gunshots (Hernandez was approximately 7 to 10 feet behind Contreras during the shooting). The suspect jumped off the wall and over a low chain-link fence that ran along the west side of the property, and continued running west out of view. He did not know if the suspect was struck by the gunshots. Detective Contreras put out radio traffic advising he was involved in a deputy involved shooting. Refer to **Exhibit A,** Homicide Book, pages 10 -12 for Homicide's supplementary report. See page 20 for Detective Hernandez' supplementary report.

Deputy Arthur Bravo, #[redacted] was interviewed on 12-01-2010, by Homicide Investigators and Internal Affairs Bureau Sergeants Jack Ramirez and Jimmy Rios. The following is a summary. See transcription for further information.

They (Detectives Bravo, Contreras and Hernandez) responded from East Los Angeles station regarding deputies being involved in a foot pursuit of a man with a gun in the area of Hammel Street and Fisher Avenue. As they arrived at Dangler Avenue and Hammel Street, they saw the suspect running south across Hammel Street from the north sidewalk. He heard radio traffic that stated the suspect was holding his waistband area as he ran. As the suspect ran across the street, Detective Bravo said it looked like the suspect's right hand was in his waistband.

Detective Contreras (driver) stopped their D/B unit near [redacted] and all three detectives exited the car. Detectives Contreras and Hernandez ran down the driveway of [redacted] Hammel Street, while he (Bravo) stayed near the apron of [redacted] Hammel Street. He estimated his distance to be approximately 15 feet behind Contreras and Hernandez. As he looked south down the driveway, he saw the suspect near or at the rear property line.

The suspect turned in the direction of Detective Contreras, then he heard Detective Contreras yell, "Stop." Detective Contreras then fired two rounds from his duty weapon. The suspect then disappeared west out of view. Refer to **Exhibit A**, Homicide Book, pages 41 and 42 for Homicides supplementary report. See page 21 for Detective Bravo's supplementary report.

SUSPECT STATEMENT:

On 12-02-10, at approximately 1108 hours, Homicide Investigators attempted to interview Suspect Saul Tapia at the LCMC Jail Ward. Suspect Tapia refused to be interviewed. Refer to **Exhibit A**, Homicide Book, pages 53 and 54.

NON-DEPARTMENT WITNESS STATEMENTS:

[redacted] was interviewed on 12-01-2010, at approximately 2312 hours by Homicide Detectives. He told Homicide Investigators he, [redacted] and Saul Tapia were standing in front of Tapia's house when deputies drove up in front of the house. Tapia took off running toward the rear of the house. He denied seeing Tapia with a handgun. He admitted to being a gang member. Refer to **Exhibit A**, Homicide Book, page 52 for Homicides supplementary report.

[redacted] was interviewed on 12-01-10 at approximately 2350 hours by Homicide Investigators. He told investigators that he, [redacted] and Tapia were standing in front of Tapia's house when deputies pulled up in front of the house. Tapia took off running and he and [redacted] were told to get on the ground. He denied touching or seeing Tapia with a gun. Refer to **Exhibit A**, Homicide Book, pages 52 and 53 for Homicides supplementary report.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Homicide Investigators Troy Ewing and Joe Espino filed (1) Misdemeanor count of 148(A) (1) P.C., against Suspect Saul Tapia.

PROPERTY DAMAGE:

None